

HONORABLE Brian D. Lynch  
HEARING DATE: October 23, 2019  
TIME: 1:30 pm  
RESPONSE DATE: October 16, 2019  
CHAPTER 13  
Tacoma, WA

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT COURT OF WASHINGTON**

**Re:**

**Jay Hinrichs**

**Debtor(s)**

**In Chapter 13 Proceeding  
No. 11-49795-BDL**

**Notice of Hearing and  
Motion to Reopen Case  
and Avoid Judgment Lien(s)  
of Citibank, NA**

TO: Clerk of Court, U.S. Trustee; Debtor(s); Citibank, NA

Please take note that the issue of law in this case will be heard on the date below and the Clerk is requested to note this issue on the motion docket for that day.

HEARING DATE: **October 23, 2019**

TIME: 1:30 pm

PLACE: 1717 Pacific Ave  
Courtroom I  
Tacoma, WA 98402

JUDGE: Brian D. Lynch

IF YOU OPPOSE the Motion, you must file your written response with the Court Clerk, serve two copies on the Judge's chambers, serve one copy on the undersigned attorney, and serve one copy of your response on each of the persons set forth on the Certificate of Service attached hereto, NO LATER THAN THE RESPONSE DATE, which is **October 16, 2019**.

**IF NO RESPONSE IS TIMELY FILED AND SERVED, THE COURT MAY, IN ITS DISCRETION, GRANT THE MOTION PRIOR TO THE HEARING WITHOUT FURTHER NOTICE, AND STRIKE THE HEARING.**

Dated: September 25, 2019

/s/ Ellen Ann Brown

Ellen A. Brown, WSB 27992  
Attorney(s) for Debtor(s)

NOTICE OF HEARING AND MOTION TO  
REOPEN CASE & AVOID JUDGMENT LIEN(S) 1

**BROWN and SEELYE PLLC**  
744 South Fawcett Ave.  
Tacoma, WA 98402  
253-573-1958

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**MOTION TO REOPEN CASE & AVOID LIEN(S)**

COME NOW the Debtor(s), by and through their attorney of record, BROWN & SEELYE, and moves the Court for an Order Reopening Case and Avoiding Lien(s) based upon the following facts:

1) Debtor filed a petition for relief under the United States Bankruptcy Code, Title 11 U.S.C. on **December 21, 2011**.

2) That the following are judgments per RCW 6.13.090 and/or impair exemptions to which the Debtor is entitled.

(A) Citibank, NA, v. Jay L. Hinrichs, Pierce County Superior Court, State of Washington, Judgment No. 11-9-08977-1, Superior Court Case No. 11-2-11895-4, filed August 10, 2011, in the amount of \$46,482.81.

3) This Court has jurisdiction over the parties to and the subject matter of this action as provided for under the United States Bankruptcy Code.

4) Pursuant to 11 USC §522(f), the Debtors desire to avoid the judicial security lien in the property commonly known as **21622 83<sup>rd</sup> Ave E Spanaway, WA 98387**.

1                                5) The value of the property on the date of filing as listed on the Debtors'  
2                                schedules and the non-voidable liens are as follows:

3  
4            **Market value of Property:**                                **\$ 224,500.00**

5            **Mortgage Balances(s):**                                **\$ 245,934.47**

6            **Homestead Exemption**                                **\$ -0-**

7            **Equity:**                                **\$ -0-**

8            6)            That the liens on the above described property, if not avoided, will impair any  
9                                exemption to which the Debtor would have been entitled under the exemptions as set  
10                                forth in 11 USC §522. That the Debtor is entitled to the exemptions allowed under the  
11                                bankruptcy code.

12  
13            Dated: September 25, 2019

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15            /s/ Ellen Ann Brown

16            Ellen Ann Brown, WSBA #27992

17            Attorney for Debtors  
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**CERTIFICATE OF SERVICE**

THE UNDERSIGNED hereby certifies:

On the date set forth below, I caused to be delivered by the method indicated below, a true and correct copy of **NOTICE OF HEARING AND MOTION TO AVOID JUDGMENT LIENS OF Citibank, NA along with a copy of the PROPOSED ORDER** properly addressed to the debtor(s) and each of the following and by regular and certified return receipt mail:

Citibank, NA  
Attn: President or CEO  
701 East 60<sup>th</sup> St N  
Sioux Falls, SD 57104

Suttell & Hammer, PS  
P.O. Box C-90006  
Bellevue, WA 98009

Signed at Tacoma, Washington on September 25, 2019.

/s/ Ellen Ann Brown

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Ellen Ann Brown  
Attorney at Law